



# Public Document Pack

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5 October 2022

## **COUNCIL MEETING**

To all Members of the Council

You are summoned to attend a meeting of the ARUN DISTRICT COUNCIL to be held on **Thursday 29 September 2022 at 6.00 pm** in the **Council Chamber at The Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF** to transact the business set out below:

James Hasset  
Chief Executive

### **AGENDA – SUPPLEMENT – PUBLIC QUESTION TIME SCHEDULE**

3. PUBLIC QUESTION TIME (Pages 1 - 8)

To receive questions from the public (for a period of up to 15 minutes)

The schedule of questions asked and responded to at the meeting is now attached.

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**FULL COUNCIL – 14 SEPTEMBER 2022 [ADJOURNED TO 29 SEPTEMBER 2022]**

**AGENDA ITEM 3 – PUBLIC QUESTION TIME – ORDER IN WHICH THE CHAIR OF THE COUNCIL WILL INVITE QUESTIONS BELOW RECEIVED IN WRITING IN ADVANCE OF THE MEETING**

1. From Mr Chester to the Chair of the Policy & Finance Committee, Councillor Gunner – since the adjournment of the meeting, this question was withdrawn
2. From Mr Slater to the Chair of the Economy Committee, Councillor Cooper
3. From Mr Meadmore to the Chair of the Planning Committee, Councillor Chapman
4. From Mr Cosgrove to the Chair of the Environment Committee, Councillor Edwards
5. From Mr Cosgrove to the Chair of the Policy & Finance Committee, Councillor Gunner
6. From Mr Cosgrove to the Chair of the Policy & Finance Committee, Councillor Gunner
7. From Mrs Smith to the Chair of the Planning Committee, Councillor Chapman
8. From Mrs Smith to the Chair of the Planning Committee, Councillor Chapman
9. From Mrs Smith to the Chair of the Planning Committee, Councillor Chapman

**FULL DETAIL OF THE QUESTIONS TO BE ASKED IS DETAILED BELOW**

Note, the Chair will:

- invite questions from members of the public who have submitted in writing their questions in line with the Council's Constitution.
- explain that the questions received will be answered by the Chair of the Council
- confirm that Public Question Time allows Members of the public to ask one question at a time and that a maximum of one minute is allowed for each question;
- state that questions will be invited in the order in which they have been received and that if there is time remaining from the 15 minutes allowed for Public Question Time, questioners will be allowed to ask a supplementary question.

**QUESTION ONE – QUESTION WITHDRAWN SINCE THE ADJOURNEMENT OF 14 SEPTEMBER 2022 MEETING**

**From Mr Chester to the Chair of the Policy & Finance Committee, Councillor Gunner**

**Question**

In pounds and pence what is the latest estimate of the increase in costs across the Arun District Council budget for energy bills, interest payments, staffing costs resulting from the pay offer and any other inflationary pressures in supplies and services for (i) the remainder of 2022/23 and (ii) 2023/24.

**QUESTION TWO**

**From Mr Slater to the Chair of the Economy Committee, Councillor Andy Cooper**

**Question**

Anyone who knows anything Arundel will be aware that there is a chronic shortage of parking for local residents and also that the town is suffering from a significant surplus of holiday accommodation much of which is unoccupied for large parts of the year.

The recent decision by ADC to demolish 9 garages in the heart of Arundel, currently used by Arundel residents, and to replace them with a 4 bedroom holiday let rather than a parking option seems to have totally ignored these major issues and also the views of the Arundel Town Council and Arundel residents, which were clearly expressed in advance to ADC.

Equally serious is that ADC have been provided with detailed information that shows that the assumptions and financial projections used to justify the decision to proceed with what is undoubtedly a "risky investment scheme" were inaccurate and misleading and that this clearly undermines the decision.

Would The Leader of the Council not agree that in a situation like this where it can be shown that a fundamentally flawed decision has been made that there must be a mechanism to enable Officers and Councillors to review and overturn their decision if necessary.

## Response

Thank you for your question. The Economy Committee, with support from several political groups\*, decided to replace the end-of-life garage structures with a purpose-built unit of holiday accommodation.

In arriving at its decision, a range of different uses were considered having been investigated and appraised.

Views were sought from Arundel Town Council and their two responses placed before the committee for consideration in arriving at its decision. Parking provision was discussed in the debate. The impact on the amenity of the area and compliance with planning policy, including the Council's adopted parking standards, will be taken account of in the design of the property which is underway. A planning application will need to be submitted for the proposed development which will give you and others including the Highways Authority, the opportunity to make representations. Ultimately these matters will be determined by the Planning Committee following submission of a planning application for the proposed development.

The achievability of the projected income was explored by committee members during the debate and officers advised that research had been undertaken, not only via holiday letting websites, but by speaking with a number of businesses in Arundel and in the locality which provided confidence that the occupancy and rent levels were realistic, not least as there are not a lot of large units of holiday accommodation in Arundel itself.

I do not agree with the premise of your question that the decision is fundamentally flawed.

The committee has made this decision to take forward this financially viable option in order to support several of the Council's Vision objectives - fulfilling Arun's economic potential, encouraging the development of the district as a key tourist destination, supporting and enabling improvements and activities to increase visitor spend by supporting the delivery of more accommodation for visitors.

*\* FYI recommendations 1-4 & 6 had 10 voting in favour, with Councillor Northeast voting against. Recommendation 5 (for a supplementary estimate to fund the project) had 9 in favour with Councillors Northeast & Dixon (who preferred the project be funded by borrowing) voting against.*

### **QUESTION THREE**

#### **From Mr Meadmore to the Chair of the Planning Committee, Councillor Chapman**

##### **Question**

In the light of the recent serious wastewater and sewage pollution incidents to our supposedly important beaches and inland waterways, of the now blatantly obvious inadequacy of Government, DEFRA and OFWAT to demonstrate any meaningful sense of urgency to stop environmental damage from spills (all causes), of the now clear and compelling evidence that Southern Water's operational capability is grossly inadequate, of the corporate financials that have been clearly manipulated over decades in favour of shareholders' dividends instead of infrastructure investment, .....that Arun District Council will immediately vote to defer, suspend, rescind all developments larger than 10 households until and unless we can be confident and assured that improvement is substantively evident. Meaning, not allow any more new builds to come on stream until and unless the designated catchment area concerned has a proven negligible spill incidence risk.

All your residents need to know is: YES, Full Council vote to defer, suspend or rescind developments until adequate improvement is demonstrated, or, Full Council vote NO and thereby accept responsibility for that decision and its residents are to be informed accordingly.

It is reasonably assumed that the subject of recent events will generate debate at this meeting anyhow. All that is expected to my question is a simple 'Yes' or 'No'. But if such question is not put forward to the meeting, for whatever reason, then a default 'NO' vote will be assumed.

##### **Response**

Dear Mr Meadmore, thank you for your question.

I am sure everyone in this chamber believes that the continued discharge of untreated effluent into the sea is wrong and must stop. However, what you suggest is simply not practicable and if the Council did as you suggest it would leave the Council at risk of costs being awarded against it in any subsequent appeals. Costs which would have to be picked up by the council tax payers of Arun which includes you. The right approach, at this time, is for the Council to continue to press Southern Water to implement solutions ahead of any legislative requirements, which is exactly what the leader of the Council did recently.

## **QUESTION FOUR**

### **From Mr Cosgrove to the Chair of the Environment Committee, Councillor Edwards**

#### **Question**

A recent leaflet published by the Liberal Democrats claims that the Conservative minority administration has "messed up" the Place St Maur project which was approved in the previous Lib Dem minority administration. The claim is that the "completion of the project is months overdue and has completely failed to deliver the planned project. The surface has been filled in with black tarmac and the planned seating is currently dangerous with exposed wire and sharp edges ..."

"Instead of the planned palm trees, deciduous trees have been planted which are bound to prove problematic for the water feature." Can he explain any changes between the original approved project and the final outcome, the reasons for these and for alleged delay?

#### **Response**

The black tarmac was a temporary finish to enable the space to be opened up to the public. Members will now be aware that this has now been topped with the finished surface. Due to global supply chain issues the original material was not available and an alternative surface was selected.

It was always intended to plant a variety of tree species on site, many of which are evergreen. It is not expected that these will pose any problems to the water feature. Other evergreen trees provided in pots, such as Palm trees, are planned to follow. The number of water jets provided are more than in the approved scheme. The gabion seating, widely used in public realm schemes, has been inspected with no reported concerns. As with all sites, inspections will continue.

The project team have worked hard to keep the scheme moving during unprecedented times. The impact of economic issues on the supply of materials and labour market is not unique to this project. Ground conditions and the presence of unexpected below ground infrastructure required some detail design to be revisited. The project has finished later than planned but the funding body has been kept informed and been sympathetic to the difficulties experienced.

## **QUESTION FIVE**

**From Mr Cosgrove to the Chair of the Policy & Finance Committee,  
Councillor Gunner**

### **Question**

Concerning the Levelling-Up Project for the Regis Centre, has formal written agreement been reached with the lease-holder, Whitbread Plc, for the alterations which the project will require, also with Arun Arts as the under-leaseholder? Will it be necessary to seek alterations to the respective leases, if so what will these entail?

### **Response**

Heads of Terms have been agreed between the Board of Whitbread and the Policy and Finance Committee, which was agreed weeks ago and that was in respect of any alterations that were required. As part of this project, Whitbread has agreed to surrender its lease to the council and it will be necessary for Arun Arts to take a new lease from the council for the completion of these works. Arun Arts have been fully included in the project and have attended project and project board meetings.

## **QUESTION SIX**

**From Mr Cosgrove to the Chair of the Policy & Finance Committee,  
Councillor Gunner**

### **Question**

Can he confirm that in order for the Levelling-Up project for the Regis Centre to proceed it will be necessary for the Alexandra Theatre portion of the Centre to close, what is the likely period and what contingencies are being considered concerning (a) storage of equipment (b) employment of Arun Arts staff (c) retention of Arun Arts volunteers (d) financial loss likely to be occasioned to Arun Arts?

### **Response**

In terms of these specific questions, the council is intending to take vacant possession of the Alexandra Theatre in February 2023 with a construction programme estimated to last 18 months. Arun staff are working with Arun Arts to organise alternative venues for the storage of equipment but in terms of the employment of Arun Arts staff, the volunteers and the financial loss, those are issues and questions for Arun Arts and not for the council.



## **QUESTION SEVEN**

**From Mrs Smith to the Chair of the Planning Committee, Councillor Chapman**

### **Question**

What is the justification for allowing AL/121/16/PL to be used as a Commercial yard for three years before any building work was done. That is, as a storage repair and sales centre for mobile homes, (eleven in all, one of which remains on site), an HGV operating centre for a mobile home transporter lorry, a storage yard for 5 large shipping containers containing items for sale, a plant yard for the storage of five construction machines, two trailers, two commercial escort vehicles, (for the transport of mobile homes), up to nineteen caravan gas bottles at one particular time, other caravan accessories, such as caravan verandas, and various cars for sale. This situation has continued for the last five years.

### **Response**

Following the approval of AL/121/16/PL a number of complaints were received regarding the land. Planning enforcement investigations were undertaken on these cases involving other sections of Arun and external partners where necessary. The investigations resulted in numerous visits and correspondence with the occupiers of the site. None of the investigations concluded that it was necessary to take formal action regarding activities on the site and this has previously been indicated to you in responses to enforcement investigations. The parking of HGV's on site was resolved through discussions with the landowner. No sufficient evidence proving to a change of use was ever found.

## **QUESTION EIGHT**

**From Mrs Smith to the Chair of the Planning Committee, Councillor Chapman**

### **Question**

The Council have already confirmed in emails, that the parking of an HGV mobile home transporter on the land governed by AP/121/16/PL, the siting of a CCTV camera in a tree aimed at our conservatory window, and the removal of earth from beside our boundary fence, were contrary to the Planning Permission granted and therefore Compliance Issues. Could you please explain the rationale, for deciding that it was not 'expedient,' to take any action to address these matters? The Council must have realised that they would cause us great distress over such an extended period of time, deny us our 'right to privacy and a peaceful family life, as well as costing us unnecessary expense.'

### **Response**

This question also relates to the site of AL/121/16/PL. Each enforcement investigation is carried out to establish if a breach of planning control has taken place. Where a breach of planning control has taken place it is then necessary to consider what action, if any, is appropriate to resolve the breach. These actions can relate to the serving of formal notices to requests to cease the breach. Where a breach does not result in such harm that action is required, having considered relevant local policies and national guidance, cases are closed because it is not expedient or proportionate to take action. The temporary storage of an HGV on the land was investigated. It was subsequently returned to its original storage yard and the issue was no longer evident on site. The siting of a CCTV camera was not a breach of planning. No formal action was therefore justified.

### **QUESTION NINE**

**From Mrs Smith to the Chair of the Planning Committee, Councillor Chapman**

#### **Question**

At the meeting Mrs Smith stated that she did not think that it was appropriate to ask her question submitted at this time because she felt that it would not be answered and as the previous two questions had not been answered or the three questions that she had asked at the last Full Council meeting.

She stated that her question was not just to the Planning Committee but to all Councillors to consider their own responsibility in this matter since it would shortly become public knowledge as part of a court case at Brighton Magistrates Court.

#### **Response**

As the question submitted was not asked, no response was provided.